

# Kansas Department of Agriculture

## Division of Food Safety and Lodging

1320 Research Park Drive, Manhattan, KS 66502  
(office) 785-564-6767 (fax) 785-564-6779

### KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

**Insp Date:** 3/2/2015      **Business ID:** 110099FE  
**Business:** MARTITA'S PLACE

4960 STATE AVE  
KANSAS CITY, KS 66102

**Inspection:** 77001177  
**Store ID:**  
**Phone:** 9135481263  
**Inspector:** KDA77  
**Reason:** 01 Routine  
**Results:** Follow-up

#### Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/02/15	03:45 PM	05:25 PM	1:40	0:15	1:55	0	inspection
03/02/15	05:25 PM	05:25 PM	0:00	0:30	0:30	0	travel to office
Total:			1:40	0:45	2:25	0	

#### FOOD ESTABLISHMENT PROFILE

Insp. Notification Print

Lic. Insp. No

Priority(P) Violations 6 Priority foundation(Pf) Violations 3

Certified Manager on Staff ..

Address Verified p

Actual Sq. Ft. 0

Certified Manager Present ..

#### INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT [www.agriculture.ks.gov](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto:fsl@kda.ks.gov), OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

***This item has Notes. See Footnote 1 at end of questionnaire.***

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

##### Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

Y	N	O	A	C	R
..	..	p	..	..	..

##### Employee Health

2. Management awareness; policy present.

Y	N	O	A	C	R
p	..	..	..	..	..

3. Proper use of reporting, restriction and exclusion.

p	..	..	..	..	..
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices	Y	N	O	A	C	R
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4. Proper eating, tasting, drinking, or tobacco use

.. p .. .. ..

*Fail Notes* | 2-401.11 *EMPLOYEES shall eat, drink, or use any form of tobacco only in designated areas where the contamination of exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES; or other items needing protection cannot result.*  
*[Cook chewing gum while cooking. ]*

5. No discharge from eyes, nose and mouth.

p .. .. ..

Preventing Contamination by Hands	Y	N	O	A	C	R
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6. Hands clean and properly washed.

.. p .. .. p ..

*Fail Notes* | 2-301.14(F) *P - Wash Hands (Prevent Cross Contamination) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and during FOOD preparation, as often as necessary to remove soil and contamination and to prevent cross contamination when changing tasks*  
*[Employee with gloved hands cut raw beef on prep table top, did not change gloves nor did a handwash. Employee handled RTE bread on grill top, went to reach in cooler, grabbed RTE ham from cooler, put ham in microwave, removed ham and put onto flat top grill, employee then grabbed a plate, placing it in the exact spot where the raw beef was cut and plated the sandwich. COS more education. ]*

2-301.14(G) *P - Wash Hands (Raw to RTE) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and when switching between working with raw FOOD and working with READY-TO-EAT FOOD*  
*[Employee with gloved hands handled raw fish with gloved hands. Employee removed gloves and discarded them, got a new pair of gloves and cut RTE carrots and onions for salsa. COS handwash, education. ]*

7. No bare hand contact with RTE foods or approved alternate method properly followed.

.. .. p .. ..

8. Adequate handwashing facilities supplied and accessible.

.. p .. .. p ..

*Fail Notes* | 5-205.11(B) *Pf - A HANDWASHING SINK may not be used for purposes other than handwashing.*  
*[Employee washing out dirty rags in basin of mop sink. COS stopped]*

6-301.14 *A sign or poster that notifies FOOD EMPLOYEES to wash their hands shall be provided at all HANDWASHING SINKS used by FOOD EMPLOYEES and shall be clearly visible to FOOD EMPLOYEES.*  
*[No handwashing signage at handsinks in toilet rooms. ]*

Approved Source	Y	N	O	A	C	R
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9. Food obtained from approved source.

p .. .. ..

10. Food received at proper temperature.

.. .. p .. ..

11. Food in good condition, safe and unadulterated.

p .. .. ..

12. Required records available: shellstock tags, parasite destruction.

.. .. .. p ..

Protection from Contamination	Y	N	O	A	C	R
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13. Food separated and protected.

p .. .. ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination	Y	N	O	A	C	R
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14. Food-contact surfaces: cleaned and sanitized.

.. p .. .. p ..

<i>Fail Notes</i>	4-602.11(E)(4)	<p><i>Non-PHF/TCS Food Contact Surface Cleaning Frequency (ice bins, soda nozzles) Surfaces of UTENSILS and EQUIPMENT contacting FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be cleaned, in EQUIPMENT such as ice bins and BEVERAGE dispensing nozzles and enclosed components of EQUIPMENT such as ice makers, cooking oil storage tanks and distribution lines, BEVERAGE and syrup dispensing lines or tubes, coffee bean grinders, and water vending EQUIPMENT: at a frequency specified by the manufacturer; or, absent manufacturer specifications, at a frequency necessary to preclude accumulation of soil or mold.</i></p> <p><i>[soda nozzles soiled with mold buildup in bar area. ]</i></p>
	4-702.11	<p><i>P - Sanitizing Before Use, After Cleaning - UTENSILS and FOOD-CONTACT SURFACES of EQUIPMENT shall be SANITIZED before use after cleaning.</i></p> <p><i>[Employee dropped a box grater on the floor, picked it up and put it back with clean equipment without washing, rinsing, sanitizing. COS put to be washed. ]</i></p>

15. Proper disposition of returned, previously served, reconditioned and unsafe food.

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Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
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16. Proper cooking time and temperatures.

p .. .. .. ..

***This item has Notes. See Footnote 2 at end of questionnaire.***

17. Proper reheating procedures for hot holding.

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18. Proper cooling time and temperatures.

.. .. p .. .. ..

19. Proper hot holding temperatures.

p .. .. .. ..

***This item has Notes. See Footnote 3 at end of questionnaire.***

20. Proper cold holding temperatures.

p .. .. .. ..

***This item has Notes. See Footnote 4 at end of questionnaire.***

21. Proper date marking and disposition.

.. p .. .. p ..

<i>Fail Notes</i>	3-501.18(A)(2)	<p><i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1.</i></p> <p><i>[In walk in cooler, MOS salsa containers (3) with no date of prep on container. PIC stated everything is made on Friday and discarded Monday. COS dated 2/27. ]</i></p>
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22. Time as a public health control: procedures and record.

.. .. .. p .. ..

Consumer Advisory	Y	N	O	A	C	R
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23. Consumer advisory provided for raw or undercooked foods.

p .. .. .. ..

Highly Susceptible Populations	Y	N	O	A	C	R
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24. Pasteurized foods used; prohibited foods not offered.

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Chemical	Y	N	O	A	C	R
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25. Food additives: approved and properly used.

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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical		Y	N	O	A	C	R
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26. Toxic substances properly identified, stored and used.

p    ..    ..    ..    ..    ..

Conformance with Approved Procedures		Y	N	O	A	C	R
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27. Compliance with variance, specialized process and HACCP plan.

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GOOD RETAIL PRACTICES
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Safe Food and Water		Y	N	O	A	C	R
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28. Pasteurized eggs used where required.

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29. Water and ice from approved source.

p    ..    ..    ..    ..    ..

30. Variance obtained for specialized processing methods.

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Food Temperature Control		Y	N	O	A	C	R
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31. Proper cooling methods used; adequate equipment for temperature control.

p    ..    ..    ..    ..    ..

32. Plant food properly cooked for hot holding.

..    ..    p    ..    ..    ..

33. Approved thawing methods used.

..    ..    p    ..    ..    ..

34. Thermometers provided and accurate.

..    p    ..    ..    ..    ..

Fail Notes	4-302.12(A)	<i>Pf - Food Temperature Measuring Devices (Provided &amp; Accessible)</i> <b>FOOD TEMPERATURE MEASURING DEVICES shall be provided and readily accessible for use in ensuring attainment and maintenance of required FOOD temperatures.</b> <i>[No thermometer on site to measure food temps. (hot hold, cooking, cold hold, etc.)]</i>
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Food Identification		Y	N	O	A	C	R
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35. Food properly labeled; original container.

p    ..    ..    ..    ..    ..

Prevention of Food Contamination		Y	N	O	A	C	R
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36. Insects, rodents and animals not present.

p    ..    ..    ..    ..    ..

***This item has Notes. See Footnote 5 at end of questionnaire.***

37. Contamination prevented during food preparation, storage and display.

p    ..    ..    ..    ..    ..

38. Personal cleanliness.

p    ..    ..    ..    ..    ..

39. Wiping cloths: properly used and stored.

..    p    ..    ..    ..    ..

Fail Notes	3-304.14(B)(1)	<i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration.</i> <b>[Wet wiping rag stored on counter and not in sanitizer bucket. ]</b>
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40. Washing fruits and vegetables.

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Proper Use of Utensils		Y	N	O	A	C	R
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41. In-use utensils: properly stored.

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Fail Notes	3-304.12(B)	<i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon.</i> <b>[Bowl used as scoop in container of flour. ]</b>
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# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils			Y	N	O	A	C	R
Fail Notes	3-304.12(F)	In-use utensil storage (135°F water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in a container of water if the water is maintained at a temperature of at least 57°C (135°F) and the container is cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues. [In use spoons in steam table top at 126°F. COS rewashed spoons added water to steam table top. ]						
42. Utensils, equipment and linens: properly stored, dried and handled.			..	p	..	..	..	..
Fail Notes	4-903.11(A)	Cleaned EQUIPMENT and UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored: In a clean, dry location; Where they are not exposed to splash, dust, or other contamination; and, At least 15 cm (6 inches) above the floor. [Single use napkins stored on floor of unworking walk in cooler used for storage. Clean utensils stored in dirty container. COS washed dishes and container. Clean pans stored on wall directly above handsink and subject to splash from handwashing. ]						
43. Single-use and single-service articles: properly used.			p	..	..	..	..	..
44. Gloves used properly.			..	..	p	..	..	..
Utensils, Equipment and Vending			Y	N	O	A	C	R
45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-P and Pf items			..	p	..	..	p	..
Fail Notes	4-101.11(A)	P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe. [Non food grade container used to hold chips. Non food grade container (sterilite) used to hold raw beef. COS moved beef, not chips. ]						
45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-Core items			..	p	..	..	..	..
Fail Notes	4-501.12	Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and SANITIZED, or discarded if they are not capable of being resurfaced. [Surface of cutting board on make table top is soiled with dirt and food debris buildup. Scoring to cutting board. ]						
46. Warewashing facilities: installed, maintained, and used; test strips.			..	p	..	..	..	..
<b>This item has Notes. See Footnote 6 at end of questionnaire.</b>								
Fail Notes	4-302.14	Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [No strips in place for quat used in bar sanitizing sink. ]						
47. Non-food contact surfaces clean.			..	p	..	..	..	..
Fail Notes	4-602.13	NonFOOD-CONTACT SURFACES of EQUIPMENT shall be cleaned at a frequency necessary to preclude accumulation of soil residues. [Side of make table top soiled with food debris.]						
Physical Facilities			Y	N	O	A	C	R
48. Hot and cold water available; adequate pressure.			p	..	..	..	..	..
49. Plumbing installed; proper backflow devices.			p	..	..	..	..	..
<b>This item has Notes. See Footnote 7 at end of questionnaire.</b>								
50. Sewage and waste water properly disposed.			..	p	..	..	p	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities		Y	N	O	A	C	R
Fail Notes	5-402.11	P - Except for floor drains that originate in refrigerated spaces that are constructed as an integral part of the building, a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD is placed. [Raw shrimp in basin of 3 vat sink which is directly plumbed. COS removed. ]					
51. Toilet facilities: properly constructed, supplied and cleaned.		..	p	..	..	..	..
Fail Notes	5-501.17	A toilet room used by females shall be provided with a covered receptacle for sanitary napkins. [No covered trash can in ladies' toiletrroom. ]					
52. Garbage and refuse properly disposed; facilities maintained.		..	p	..	..	..	..
Fail Notes	5-501.113	Receptacles and waste handling units for REFUSE, recyclables, and returnables shall be kept covered: Inside the FOOD ESTABLISHMENT if the receptacles and units: Contain FOOD residue and are not in continuous use; or, After they are filled; and, With tight-fitting lids or doors if kept outside the FOOD ESTABLISHMENT. [Lids to trash bins outside left open. ]					
53. Physical facilities installed, maintained and clean.		..	p	..	..	..	..
Fail Notes	6-501.11	PHYSICAL FACILITIES shall be maintained in good repair. [Wall by sump pump severely water damaged. Missing ceiling tiles, broken ceiling tiles in kitchen area. Deteriorating wall (foundation) going downstairs. ]					
54. Adequate ventilation and lighting; designated areas used.		..	p	..	..	p	..
Fail Notes	6-305.11(B)	Lockers or other suitable facilities shall be provided for the orderly storage of EMPLOYEES' clothing and other possessions. [Employee's coats stored on top of soda syrup boxes in bar area. COS moved. ]					

Administrative/Other		Y	N	O	A	C	R
55. Other violations		p	..	..	..	..	..

## EDUCATIONAL MATERIALS

The following educational materials were provided ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

Accompanied by KDA40

## **Footnote 2**

### **Notes:**

Cooking temp  
fish at 210F

## **Footnote 3**

### **Notes:**

Hot holding  
salsa at 150F in steamtable top

## **Footnote 4**

### **Notes:**

Cold holding  
diced tomatoes at 35F in make table top  
shredded lettuce at 35F in make table top  
In walk in cooler, milk at 40F  
in reach in cooler under make table top, raw beef at 35F, cooked shrimp at 38F

## **Footnote 5**

### **Notes:**

Contracted pest control, comes monthly

## **Footnote 6**

### **Notes:**

Strips in place for chlorine. Chlorine used in 3 vat sink in kitchen.

## **Footnote 7**

### **Notes:**

Handsink in kitchen at 153F, handsink in toilet room 150F

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 3/2/2015      **Business ID:** 110099FE  
**Business:** MARTITA'S PLACE

4960 STATE AVE  
KANSAS CITY, KS 66102

**Inspection:** 77001177  
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Total:			1:40	0:45	2:25	0	

### NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled 03/12/15

Inspection Report Number 77001177

Inspection Report Date 03/02/15

Establishment Name MARTITA'S PLACE

Physical Address 4960 STATE AVE

City KANSAS CITY

Zip 66102

Additional Notes  
and Instructions

Follow up scheduled for 3/12 or after